



MILTON CONSERVATION COMMISSION

PO Box 310

Milton, NH 03851

Meeting Minutes

February 10, 2014

Commissioners in attendance: Chairman Cynthia Wyatt, David Levin, Selectman Tom Gray and Steve Panish.

Others in attendance: Kimberly Ladisheff, Land Use Clerk.

Public in attendance: John Johnson, Steve Hemeon, Belinda Martin, Thomas and Debra Shevelin and David Lake.

Chairman Wyatt called the meeting to order at 6:30 pm.

Public Comments: landowners who received letters for being in violation of conservation easements on Lyman Brook attended the meeting to voice their concerns. Cynthia explained the MCC is responsible for enforcing the covenants and unfortunately they couldn't monitor the easements until the baselines were done.

There was a considerable amount of negative discussion by John Johnson of 36 Heron Circle and David Lake of 34 Heron Circle. Mr. Johnson explained he bought the property in 2004 and never heard about there being a conservation easement on his land until 2012. He then presented a map that didn't have any conservation areas on it. Cynthia stated it was in his deed and the map she had did show the easements. She suggested Mr. Johnson talk with the town's attorney. Steve told Mr. Johnson that the fact that he had not been informed of the existence of an easement at the time of his purchase of the property was the responsibility of the title search agent and that it was to them that he should be addressing his complaint rather than the Conservation Commission.

Mr. Lake then stated he attended a previous meeting and his point of contention at the time was that the pins had been moved. He still feels this is the case and there is a discrepancy of about 100 ft. Mr. Lake went on to explain the drainage pipes and ditch with discharge onto the easement was because his basement is wet. Cynthia then asked Mr. Lake if he could move the shed. Mr. Lake stated the shed is 20x22 and it would be very difficult.

Steven Hemeon & Belinda Martin of 18 Rookery Road then expressed their concerns about their violations. Mr. Hemeon said they were notified they had moved a pin but stated they never moved any pins. Another violation of theirs was the cutting of grass, however it is where their leach field is. Cynthia stated septic systems are allowed in the easement and can be maintained and will send a letter stating that. Mr. Hemeon then stated when the surveyor was out he missed a corner pin which caused him to be in violation. Cynthia stated they will get the surveyor to go back out there to fix the markers.

Tom and Debra Shevelin of 104 Winding Road then spoke about their violations. Mr. Shevelin said he knows he's not encroaching and told the Commissioners about the National Conservation Easement

website which uses GPS coordinates. He showed a map he had printed out from the website and feels the surveyor has put markers in the wrong place.

Cynthia stated they need to get answers about the pins and will also check with the town's attorney. She mentioned if it's legal the MCC could let the people keep their sheds, pools, etc. but when the property is sold they would have to be taken down.

Approval of Minutes: David motioned to approve the minutes of January 13, 2014 as written. Steve seconded the motion. Motion carried.

Nute Conservation Easement: The Commission received the appraisal documents and Tom Gray signed the tax document 8283. David will look the report over.

Water/Fire proof safe: Tabled

Follow up on office filing system: David will go to Town Hall to see about room for storage.

Ray's Marina property: Tabled

Review of baseline documentation and monitoring/violation issues: Discussion on the Lancey/Ward and Silver Springs baseline documentation. There are encroachments on the Lancey property, Lot 95-4. David will look into it. Cynthia will draft a letter to Mr. Tournas. Steve spoke with Mr. Hale regarding the issues with Dames Brook. Steve will get together with Mr. Hale and walk the property.

Town Forest Project: Commission wants this to be a community project. Their idea is to send out a flyer to all abutters, PTA, recreation, boy scouts, to garner interest to form a committee. Put on warrant for 2015.

Strategize to promote successful outcome for Warrant Article 26 on voting day: discussion on having a sign and a handout for people on voting day, March 11.

SRPC – Granite State Future outreach: brief discussion on the proposed meeting in which SRPC will reach out to boards, committees and residents with questions about the town. It was decided that each member will think of a question for the meeting.

Potential conservation projects: Tabled

Treasurer's Report: David stated there was a big change on the balance sheet due to the CD closing in January and the monies were transferred into the unrestricted funds. The final payment is due for the aged LUCT and once all invoices are paid back to the general fund the total is \$148,870.70. David mentioned at the deliberative session the budget committee reduced the MCC's printing line from \$1000 down to \$500.

David motioned to pay the invoice to Darrell Detour for the baseline documentation reports for Lancey/Ward and Silver Springs conservation easements in the amount of \$725. Seconded by Tom. Motion carried.

Cynthia read a letter from the NH Association of Natural Resource Scientists. Membership dues are \$20 a year. Steve will look into it and report back. She then read a letter from SCCD who is looking for new ways to serve the town. If the MCC is interested they would like to discuss potential projects. Cynthia will follow up.

Follow up on Master Plan: Brief discussion between the commissioners that they would like to be involved in updating the Master Plan. Cynthia stated they were told not to ask questions or get involved until it is done, however that is not going to happen because we are a land use board and have spent considerable time writing a natural resource chapter. Cynthia will send a letter questioning why the Planning Board did not ask for their input.

Index Packaging: Tabled

Motion by David to adjourn. Seconded by Tom. Motion carried. Meeting adjourned at 8:52 pm.

Respectfully submitted,

Kimberly Ladisheff
Land Use Clerk